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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,540	12/20/2000	Diakoumis Parissis Gerakoulis	1999-0177	6351

7590 05/18/2004

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EXAMINER

BLOUNT, STEVEN

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,540

Applicant(s)

GERAKOULIS, DIAKOUKIS
PARISSIS

Examiner

Steven Blount

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 7 is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 8-12 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37.CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 2 and 8 - 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 5,438,565 to Hemmady et al.

With regard to claim 1, Hemmady et al teach, in figure 1,

- A. Input: car 54 (col 4, line 32)
- B. Output: telephone 4 (see bottom of figure 1)
- C. Plural switching: see the switch module 33 which is comprised of subswitch members 27, TSIU 45, and 49.
- D. Processing the signal switching by coding techniques: see col 4, lines 36 – 39: "According to the teaching of the prior art, a CDMA speech processor located at cell site 5 translates CDMA into the 64K bps PCM stream switchable by switch module 33. A circuit switched path connection through DFI 21 to TSIU 45, as represented by broken line 46, is established that interconnects the translated speech signal with line unit 37, for example".
- E. Coordinating the coding techniques, while not explicitly stated to be "coordinating", one of ordinary skill in the art would recognize that

the relation between the coding (CDMA into PCM cited above) in the "circuit switched path" which is set up as described above and the TSIU as discussed in Hemmady et al is an obvious form of coordination, and is done for the purposes of coordinating the coding and timing techniques in view of the fact that it is done so that the call can be connected to unit 37: "A circuit switched path connection through DFI 21 to TSIU 45, as represented by broken line 46, is established that interconnects the translated speech signal with line unit 37, for example, and to telephone 4." (see also coding via inclusion of a 2-point address in col 4, lines 62+, wherein there is multiplexing involving member 21 (col 4, lines 63+) and the TSIU has a connection set up as described in col 4 line 66).

With regard to claim 2, see the discussion of CDMA and the TSIU 45 above.

With regard to claims 8 - 9, the process discussed above, namely "a CDMA speech processor located at cell site 5 translates CDMA into the 64K bps PCM stream switchable by switch module 33. A circuit switched path connection through DFI 21 to TSIU 45, as represented by broken line 46, is established that interconnects the translated speech signal with line unit 37, for example" can be considered to be "code switching", and note also the process performed by the TSIU member 45.

With regard to claim 10, note that time slot multiplexing is an obvious variation of time slot interchanging.

With regard to claim 11, the step of code switching including disspreading is inherent in the step of converting CDMA into PCM cited above.

With regard to claim 12, note the obvious equivalency between time switching and time slot interchanging discussed above.

3. Claims 6 – 7 are allowed.

Claims 3 – 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to include the limitations of the base claim and any intervening claims.

4. Examiner Steven Blount may be reached at 703-305-0319 between the hours of 9:00 and 5:30 Monday through Friday.


Ajit Patel
Primary Examiner

SB

5/10/04